IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 873 of 2006
Date of Decision: 8.09.2006

Charanjit Singh ...Petitioner

Vs.

Shri Guru Ravi Dass High School ...Respondent

CORAM Hon'ble Mr.Justice Vinod K.Sharma

Present: Mr.Sandeep K.Majithia, Advocate,
for the petitioner.

Mr.R.L.Bhalla, Senior Advocate,
with Mr.Mandeep K.Saajan, Advocate,
for the respondent.

Vinod K.Sharma, J. (Oral)

The present revision petition has been filed against the order dated 9.2.2005 passed by the learned Rent Controller, Jalandhar as affirmed

by the Appellate Authority ordering the ejectment of the petitioner on the ground of bona fide personal necessity.

The respondent-landlord is running a school which was up to 10th standard and subsequently it obtained affiliation up to 10+2 and accordingly ejectment of the petitioner was sought for providing bigger library and other facilities to the students of the school.

Learned counsel for the petitioner has challenged the finding recorded by the courts below on the ground that the landlord was in possession of other land where library and other building for school could be constructed and therefore, need of the landlord could not be said to be bona fide. Learned counsel for the petitioner also contended that he is running a shop in the demised premises and is paying rent and therefore, is providing income to the school.

I have considered the arguments raised by the learned counsel for the petitioner and find no force in the same especially keeping in view the fact that for the purpose of seeking notice of motion the petitioner had relied upon the order dated 7.1.2005 passed by this Court in **CR No. 106 of 2005 Lakhwinder Singh Vs. Shri Guru Ravi Dass High School**. The said revision was finally dismissed by this Court holding that the need of the

landlord was bona fide.

The contention of the learned counsel for the petitioner that alternative land is available to the landlord cannot be accepted as it is for the landlord to see regarding his requirement and the tenant cannot dictate as to which land should be used for extension of library building and to provide other facilities.

No ground is made out to interfere with the concurrent finding recorded by both the courts below holding that the premises in dispute are bona fide required by the petitioner.

Dismissed.

(Vinod K.Sharma)
Judge

8.09.2006
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